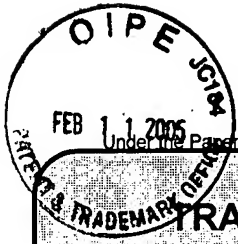


JPW



<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/694,614
	Filing Date	10/27/2003
	First Named Inventor	Brubaker
	Art Unit	1645
	Examiner Name	Padmavathi Baskar
Total Number of Pages in This Submission	Attorney Docket Number	61404.133US2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Postcard
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Wilmer Cutler Pickering Hale and Dorr LLP		
Signature			
Printed name	James T. Olesen		
Date	02/09/2005	Reg. No.	46,967

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Mary Jo Nissel	Date	02/09/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/694,614 Art Unit: 1645  
Applicant(s): Brubaker, et al. Examiner: Padmavathi Baskar  
Date Filed: October 27, 2003 Conf. No.: 5738  
Docket No.: MSU-015CN/0061404.133 Cust. No.: 08-0219  
Title: A Recombinant Plasmid and a Method of Controlling the Effects of Yersinia Pestis

**CERTIFICATE OF MAILING UNDER 37 C.F.R §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment; Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

Date:

February 9, 2005

By:

Mary Jo Nispel  
Mary Jo Nispel

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**OFFICIAL CONFIRMATORY COPY OF SECOND SUPPLEMENTAL AMENDMENT**  
**UNDER 37 CFR § 1.115**

Sir:

This Official Confirmatory Copy of Applicants' Second Supplemental Amendment follows our earlier submission of substantially the same action directly with the Examiner on January 14, 2005. Applicants hereby submit this official confirmatory copy of their Examiner-endorsed Second Supplemental Amendment by first class mail using a certificate of mailing under 37 C.F.R. §1.8(a) and addressed to the official mailing address of the U.S.P.T.O. in order to ensure that this action is a part of the official record in this application.

U.S. Appln. No. 10/694,614

Our Ref. No.: MSU-015CN/0061404.133

February 9, 2005 Official Confirmatory Copy of Applicants' Second Supplemental Amendment and Response dated January 14, 2005

Further in Reply to Office Action dated May 18, 2004

In response to a telephonic interview with the Examiner in this case, Dr. Padmavathi Baskar, and further to the Office Action dated May 18, 2004, and corresponding Response and Amendment filed on August 17, 2004, and first Supplemental Amendment and Response dated October 6, 2004, please further consider the following further remarks and amendments:

**Amendments to the Claims** are reflected in the listing of claims, which begins on **page 3** of this paper.

**Remarks/Arguments** begin on **page 4** of this paper.

Reconsideration of the above-referenced Application in light of the above is respectfully requested.